

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

H&H HOLDING, L.P.

v.

CHI CHOUL LEE and HYE JA LEE

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CIVIL ACTION

No. 12-5433

ORDER

AND NOW, this 6th day of March, 2014, upon consideration of defendants' Motion for Summary Judgment (paper no. 13) and plaintiff's response (paper no. 14), and defendants' Motion to Compel (paper no. 18), for the reasons in the attached memorandum, it is **ORDERED** that:

1. Defendants' Motion for Summary Judgment (paper no. 13) is **GRANTED** in part and **DENIED** in part.
 - a. The motion is **GRANTED** as to RCRA claim of Count I.
 - b. The motion is **DENIED** as to Count III.
2. Defendants' Motion to Compel (paper no. 18) is **DENIED**.
3. Trial will be held on Count III only, part of Count I and Count II having been dismissed by the court's earlier order.

/s/ Norma L. Shapiro

J.